

REMARKS

Claim 11 was objected as being a duplicate of Claim 9. The applicants have eliminated this inconsistency.

Claims 1-24 were rejected under 35 U.S.C, 102(b) as being anticipated by Nova et al. (US Patent 6,329,139). We cannot agree with this statement for the reasons described below.

First of all, US Patent 6,329,139 has no relation to our invention since it relates to solid phase synthesis, i.e., to a production process, while our invention relates to analysis of samples. In our system the analysis is carried out preferably with the use of at least two different sample analyzing stations, both having different sample analyzing capabilities (i.e. either separation capabilities or different selective detecting capabilities), wherein interaction between stations is achieved though the directly electrical connection of a built-in programmable electronic memory with an appropriate station. In other words, in our system in order to exchange information with the sample analyzing station as well as for inputting and outputting data into and from the memory or station, the contacts of the memory device should always be in direct electrical connection with the electrical contacts of the station. In US Patent 6,329,139, on the contrary, it is explicitly expressed in claims and through the entire description that the memory is remotely accessible.

Thus, in contrast to the system of US Patent 6,329,139, we do not perform any synthesis of our sample (or analyzed mixture), but rather moving sample plates with memory and samples from one analyzing/separation station to another analyzing/separation station. Based on the data inputted/outputted to/from the memory in the course of transfer of the sample plate from preceding stations, the system decides what kind of analyzing step to do on the current station.

In our system a sample can be arranged in several positions on the plate, so that in some positions the sample can be completely destroyed, e.g., by laser irradiation when using MALDI MS analyzing technique. On the other hand, the obtained information can be used by other analyzing stations for further analysis of the sample in intact locations. The result of such analysis will be the resulting information accumulated from all positions of the same sample, even though the sample has been partially or completely destroyed. In other words, our system is aimed at obtaining information from analysis, rather than from synthesis of the therapeutic substances.

In US Patent 6,329,139, the memory is described to be either remotely - accessible optical readable memory or remotely-accessible electronic memory connected to an (electromagnetic or radio) transceiver. It is emphasized in the above patent that electronic memory is remotely accessible, e.g., via electromagnetic radiation which is transmitted and received through antennas and therefore it is not necessary to have a direct physical contact of memory with the transceiver station. However, this feature will significantly complicate the system in the case of many matrixes with memories located in close proximity to each other within a processing station. In this case, it is necessary either to move the EM transceiver sequentially through positions close to each matrix, or to pass matrixes individually near the transceiver, or to use self identifying ID's on each matrix. In the first two cases the process can be slow, and in the third case it is the system becomes too complicated and may be subject to electronic crashes. The above conditions are acceptable for an unattended production process. If, however, positions of matrixes have to be changed within a processing station (or in between the stations) by an operator, the system could be easily confused since without having direct contact with the matrix it would be difficult to locate manually transferred plates. In other words, in our system we can always know the condition and location of all sample plates within the system at any time, while the system of the aforementioned patent

may require that the remote control devices be switched on or off. It would also be necessary to know the data transmission time or undertake special steps for locating positions of matrixes.

In order to make our claims more distinctive from the invention of US Patent 6,329,139, we narrowed the claims by replacing the term «process» with the term «analysis». We also specified in the claims that the electrical contacts of sample plates have direct electrical connection with the stations.

CONCLUSION

For all the above reasons, the applicant submits that the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Therefore, the applicant submits that this application is now in condition for allowance, which action he respectfully solicits.

Conditional Request For Constructive Assistance

Applicant has made a diligent effort to amend the claims of this application so that they define novel structure, which is also unobvious. If, for any reason, the Examiner believes that the claims of this application are not yet in full condition for allowance, applicant respectfully requests his constructive assistance and suggestions pursuant to the spirit of MPEP § 2173.02 and § 707.07(j). This will enable the undersigned to place this application in fully allowable condition as soon as possible and without the need for further proceedings. The Examiner is authorized to make any needed minor corrections or changes.

Very respectfully,

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